



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

SEP 06 1994

FRP NUMBER: FRP-06-LA-00556
DENBURY MANAGEMENT, INC.
LATERRE #4. LIRETTE FIELD TANK BATTERY
1549 POLK STREET
HOUMA, LA 70360-

Section 311(j)(5) of the Clean Water Act (CWA) as amended by § 4202(a)(5) of the Oil Pollution Act of 1990 (OPA) requires an onshore facility, which because of its location could reasonably be expected to cause significant and substantial harm to the environment by discharging into or on the navigable waters or adjoining shorelines or the exclusive economic zone ("significant and substantial harm" facility), to have a facility response plan approved by the Environmental Protection Agency (EPA or "the Agency"). Section 311(j)(5)(E) of CWA prohibits a "significant and substantial harm" facility from handling, storing, or transporting oil if its plan has not yet been approved by the Agency unless the facility has been granted an extension by the Agency. Section 4202(b)(4)(C) of OPA states that the prohibition is effective on August 18, 1993.

EPA notified you that your facility is a "significant and substantial harm" facility. The Agency, however, authorized your facility to continue to operate without approval of your facility response plan until February 18, 1995, based on a review of your facility's certification of response resources.

EPA has completed an initial review of your facility response plan against the statutory requirements of § 311(j)(5) of CWA. In order to complete the Agency's review of your facility's response plan, the Agency needs additional information (see attachment) within 60 days from the date of this letter.

Although the Agency will initially review your facility's plan against the minimum statutory requirements, please note that EPA issued its final Facility Response Plan regulation (59 FR 34070). Your facility response plan must come into compliance with every provision of that regulation by February 18, 1995, and you must revise your response plan, if necessary, to satisfy the requirements of this rule and resubmit your plan (or updated portions) to:

9527294



Recycled/Recyclable
Printed with Soy/Canola Ink on paper that
contains at least 50% recycled fiber

U.S. Environmental Protection Agency, Region VI
Contingency Planning Section
P.O. Box 303
Dallas, Texas 75221-0303

See the implementation discussion at page 34075 - 34076 of the preamble to the final response plan rule in the July 1, 1994, Federal Register of the enclosed preamble to the final response plan rule.

If you have any questions concerning this matter, please contact my office at (214) 665-6489. For facility specific information, contact Don Kluth at (214) 855-0711 or fax to (214) 855-0712.

Sincerely,

A handwritten signature in cursive script that reads "Donald P. Smith".

Donald P. Smith
Senior On-Scene Coordinator